

AUG 26 2008

PTO/SB/21 (08-08)

Approved for use through 08/31/2008. OMB 0861-0031

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**TRANSMITTAL
FORM**

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Total Number of Pages In This Submission

3

Application Number	10787,813
Filing Date	JANUARY 29, 2004
First Named Inventor	ZHANG ET AL.
Art Unit	1814
Examiner Name	T. BETTON
Attorney Docket Number	AHPWA1DUSA

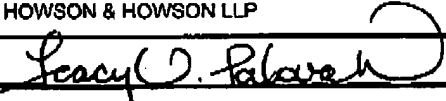
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Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	HOWSON & HOWSON LLP		
Signature			
Printed name	TRACY U. BALOVICH		
Date	8-26-2008	Reg. No.	47,840

CERTIFICATE OF TRANSMISSION/MAILING

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AUG 26 2008

AHPWA1DUSA

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. No. : 10/767,813 Confirmation No.: 5696
Applicant : Zhang et al.
Filed : January 29, 2004
TC/A.U. : 1614
Examiner : T. Betton
Customer No. : 38199
Title : CYCLOCARBAMATE DERIVATIVES AS
PROGESTERONE RECEPTOR MODULATORS

Mail Stop Amendment
Commissioner for Patents
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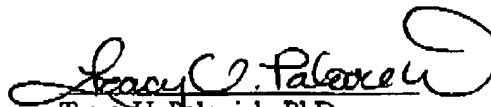
LETTER

Sir:

This paper is filed to submit a replacement Terminal Disclaimer in an effort to correct a clerical error. Specifically, the below-noted agent of record incorrectly referenced US Patent No. 6,556,358 and not co-owned US Patent No. 6,566,358 in one (1) Terminal Disclaimer filed on April 2, 2008. Applicants respectfully request that the Examiner withdraw the Terminal Disclaimer over US Patent No. 6,556,358 filed on April 2, 2008 with the attached Terminal Disclaimer over co-owned US Patent No. 6,566,358.

The Director is hereby authorized to charge any deficiency in any fees due with the filing of this paper or during the pendency of this application, or credit any overpayment in any fees to our Deposit Account No. 08-3040.

Respectfully submitted,

HOWSON & HOWSON^{LLP}

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**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING
REJECTION OVER A "PRIOR" PATENT**Docket Number (Optional)
AHPWA1DUSA

In re Application of: ZHANG et al.

Application No.: 10/767,813

Filed: JANUARY 29, 2004

For: CYCLOCARBAMATE DERIVATIVES AS PROGESTERONE RECEPTOR MODULATORS

The owner, WYETH, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term prior patent No. 6,566,356 as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patent, "as the term of said prior patent is presently shortened by any terminal disclaimer," in the event that said prior patent later:

- expires for failure to pay a maintenance fee;
- is held unenforceable;
- is found invalid by a court of competent jurisdiction;
- is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;
- has all claims canceled by a reexamination certificate;
- is reissued; or
- is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

1. ☐ For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney or agent of record. Reg. No. 47,840

Tracy U. Palovich
Signature

8-26-2008
Date

TRACY U. PALOVICH
Typed or printed name

215-540-9200
Telephone Number

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) included.

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*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).
Form PTO/SB/96 may be used for making this certification. See MPEP § 324.

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